

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)	
)	
)	
Reed & Graham, Inc.)	Docket No. TSCA-HQ-2002-005
)	
)	

ORDER GRANTING WITHDRAWAL OF COMPLAINT WITHOUT PREJUDICE

Before the Board at this time is the motion of the U.S. EPA, Toxics and Pesticide Enforcement Division ("EPA Enforcement"), to withdraw its complaint in this matter without prejudice. Section 22.14(d) of the Consolidated Rules of Practice, 40 C.F.R.

§ 22.14(d) provides that "The complainant may withdraw the complaint * * * without prejudice one time before the answer has been filed." In the present case, no answer has been filed, and EPA Enforcement has not previously withdrawn its complaint. In addition, EPA Enforcement states in its motion that the respondent, Reed & Graham, Inc. ("Reed & Graham") does not object to EPA Enforcement's motion. Accordingly, EPA Enforcement's withdrawal of its complaint without prejudice is hereby granted.

So ordered.

Dated: 09/11/02

ENVIRONMENTAL APPEALS BOARD

By: _____/s/_____
Edward E. Reich
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Withdrawal of Complaint Without Prejudice in the matter of Reed & Graham, Inc., Docket No. TSCA-HQ-2002-005, were sent to the following persons in the manner indicated:

By First Class, U.S. Mail:

Aldo Branch, Esq.
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By Pouch Mail:

Mark Garvey, Esq.
Toxics and Pesticides Enforcement Division
U.S. EPA (MC-2245A)
1200 Pennsylvania Ave., N.W. (Rm 4111)
Washington, DC 20460

Dated: 09/11/02

_____/s/_____
Annette Duncan
Secretary